

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

UNITED STATES OF AMERICA,

Plaintiff,

and

NATURAL RESOURCES DEFENSE
COUNCIL, INC. AND SIERRA CLUB,

Intervenor-Plaintiffs,

v.

DTE ENERGY COMPANY AND
DETROIT EDISON COMPANY,

Defendants.

Civil Action No.
2:10-cv-13101-BAF-RSW

Judge Bernard A. Friedman

Magistrate Judge R. Steven Whalen

**DEFENDANTS' CONSENT MOTION FOR EXTENSION OF
PAGE LIMIT FOR REPLY BRIEF IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
BASED ON THE 2002 NSR REFORM RULES**

Pursuant to Local Rule 7.1, Defendants DTE Energy Company and Detroit Edison Company move for an extension of the page limit for their Reply Brief in support of Defendants' Motion for Summary Judgment Based on the 2002 NSR Reform Rules (Docket Entry No. 107). Under Local Rule 7.1(d)(3), Defendants' page limit for this reply brief is five (5) pages. Defendants respectfully request that this limit be extended to ten (10) pages.

Defendants have conferred with the Plaintiff, and the Plaintiff consents to the requested extension. Defendants state the extension is necessary to allow Defendants to respond more fully to issues raised by the Plaintiff in its opposition and thereby give the Court a more complete discussion of the issues of first impression presented by this motion. Accordingly, Defendants respectfully request that Defendants be allowed to submit in support of their Motion for Summary Judgment a reply brief not to exceed 10 pages in length.

A proposed Order is enclosed.

Dated: July 22, 2011

By: /s/ George P. Sibley, III

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CERTIFICATE OF SERVICE

I hereby certify that on July 22, 2011, the foregoing **DEFENDANTS' CONSENT MOTION FOR EXTENSION OF PAGE LIMIT FOR REPLY BRIEF IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT BASED ON THE 2002 NSR REFORM RULES** was served electronically only on the following attorneys of record in accordance with an agreement reached among the parties:

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**ORDER GRANTING DEFENDANTS' CONSENT MOTION
FOR EXTENSION OF PAGE LIMIT FOR REPLY BRIEF IN
SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT BASED ON THE 2002 NSR REFORM RULES**

Upon consideration of Defendants' Consent Motion for Extension of Page Limit for Reply Brief in Support of Defendants' Motion for Summary Judgment Based on the 2002 NSR Reform Rules (Docket Entry No. 118) and for good cause shown, it is hereby ORDERED that Defendants may file a reply brief in support of their Motion for Summary Judgment (Docket Entry No. 107) not to exceed ten (10) pages in length.

It is so ORDERED.

Dated: July 22, 2011

By: _____
United States District Judge